

*Form O-200*



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**ENTERED  
08/08/2013**

**In re:**

**JOSE FONSECA AND  
SANDRA FONSECA**

§  
§

**Case No. 12-70273  
(Chapter 13)**

**AGREED ORDER GRANTING RELIEF FROM AUTOMATIC STAY [AND THE CO-  
DEBTOR STAY, IF APPLICABLE]  
(This Order Resolves Docket #59)**

Capital One, N.A. ("Movant") filed a motion for relief from the automatic stay [and co-debtor stay] against a 2008 Kawasaki bearing VIN JKASFGB198B509312 (the "Property"). Movant represented to the Court that it had served the motion in accordance with all applicable rules and provided notice of the hearing. As shown by Debtor(s)' or Debtor(s)' counsel signature below, Debtor(s) have agreed to the requested relief. If there is a co-debtor, the co-debtor failed to file a timely objection to the proposed relief.

Accordingly, it is ordered that Movant is granted leave from the automatic stay [and the co-debtor stay, if applicable] to pursue its state law remedies against the Property, including repossession, foreclosure and/or eviction.

The stay imposed by Bankruptcy Rule 4001(a)(3) does not apply.

August 8, 2013

A handwritten signature, "Rickard S. Smith", is written in black ink over a white rectangular box.

**Form O-200**

Agreed:

AGREED AND ENTRY REQUESTED:

/s/ Robert F. Eichelbaum (with permission)

Signature-Debtor(s)' counsel (or debtor, if pro se)

Name: Robert Frank Eichelbaum

State Bar No. \_\_\_\_\_

S.D. Tex. Bar No. \_\_\_\_\_

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\_\_\_\_\_  
Signature-Co-Debtor counsel (or co-debtor, if pro se)  
(if applicable)

Name: \_\_\_\_\_

State Bar No. \_\_\_\_\_

S.D. Tex. Bar No. \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

[Document must be signed by Debtor(s) or by Debtor(s)' counsel or both. Electronic signatures may be submitted. Movant must retain copies of the original signatures.]

By submitting this Agreed Order, Movant 's counsel certifies that counsel reviewed the docket sheet after the expiration of the deadline for responses and that no co-debtor has filed any opposition to the requested relief.